



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

JPL
F. #2018R00035

*271 Cadman Plaza East
Brooklyn, New York 11201*

November 1, 2023

By ECF and E-mail

The Honorable Margo K. Brodie
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Steven Nerayoff
Criminal Docket No. 20-008 (MKB)

Dear Judge Brodie:

The government writes, having conferred with defense counsel, in connection with the defendant Steven Nerayoff's motions to unseal: (1) the exhibits submitted in support of his motion to dismiss; and (2) the motion papers and decision related to *ex parte* subpoenas issued by the Court. See ECF Dkt. 123, at 18 n.10 (directing the parties to confer and propose redactions).

With respect to the motion to dismiss, Nerayoff withdraws his request to unseal certain documents for refile with redactions because redacted copies of those documents are already publicly filed on ECF. See ECF Dkt. 105.

With respect to the motion papers and decision related to the *ex parte* subpoenas, the parties have enclosed copies of (a) the Court's July 13, 2022 Memorandum and Order denying in part and granting in part Nerayoff's *ex parte* subpoena request (the "Order"), (b) Nerayoff's July 27, 2022 letter in response to the Order setting forth additional reasons why the requested subpoena should be issued, (c) Nerayoff's October 4, 2022 letter enclosing a copy of the Order and a proposed rewritten subpoena, and (d) the October 18, 2022 subpoena as authorized by the Court. These copies contain proposed redactions of these documents as agreed upon between the parties. If the proposed redactions are acceptable to the Court, the parties jointly and respectfully request that the Court file these redacted copies on the public docket.

As indicated above, we have conferred with defense counsel about these matters, who joins in this application in all respects.

Respectfully submitted,

BREON PEACE
United States Attorney

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Enclosures (by e-mail)

cc: Michael A. Scotto, Esq. (by ECF and e-mail)